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AST Training for Military Family Housing Privatization Selection

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Overview

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- **Roles and Responsibilities**
- **Inherently Governmental Functions**
- **Selection Organization**
- **Selection Authority (SA) Responsibilities**
- **Selection Information and Procurement Integrity**
- **Generic Overview of Evaluation Process**
- **Exchanges**
- **Summary**



Roles and Responsibilities

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- Contracting Officer (CO): The only individual who can direct the contractor to perform work and direct changes to the contract.
- Contract Specialist: Administers the contract on behalf of the CO.
- MAJCOM and Base Contracting Representative: Individual is a member of the Acquisition Support Team (AST) and keeps in close communication with the CO.



Roles and Responsibilities

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- Contracting Officer's Representative (COR): Individual is appointed in writing by the CO to perform specific functions. Does not have the authority to direct the Contractor to perform any work not already in the current contract.
- Government Project Manager (GPM): Primary Technical POC. Has overall responsibility to manage the privatization effort but no contract authority.



Roles and Responsibilities

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- MAJCOM Project Manager (MPM): Individual is appointed by the MAJCOM to represent the command in the privatization effort. Should not directly correspond with the contractors . Any communications must be routed through the GPM.
- Base Project Manager (BPM): Individual is appointed by the base to represent the host wing. Should not directly correspond with the contractors. Any communications must be routed through the GPM.



Inherently Governmental Function

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Inherently Governmental Functions

- **Determination whether a proposal complies with the RFP**
- **Decision to amend the RFP**
- **Determination to exclude or include an offer within the competitive range**
- **Determination of adequate price competition**
- **Assignment of past performance rating**
- **Assignment of color codes to factors**



Inherently Governmental Function

~~Inherently Governmental Functions (cont'd)~~ ^{31st} *HSW*

- Assignment of risk assessment ratings
- Comparative analysis of offers
- Integrated assessment as to which proposal provides the best overall value to the government
- Decision to select a particular developer's proposal for award
- Decision concerning the substance & extent of discussions or negotiations. Written discussions with developers require AF approval in advance



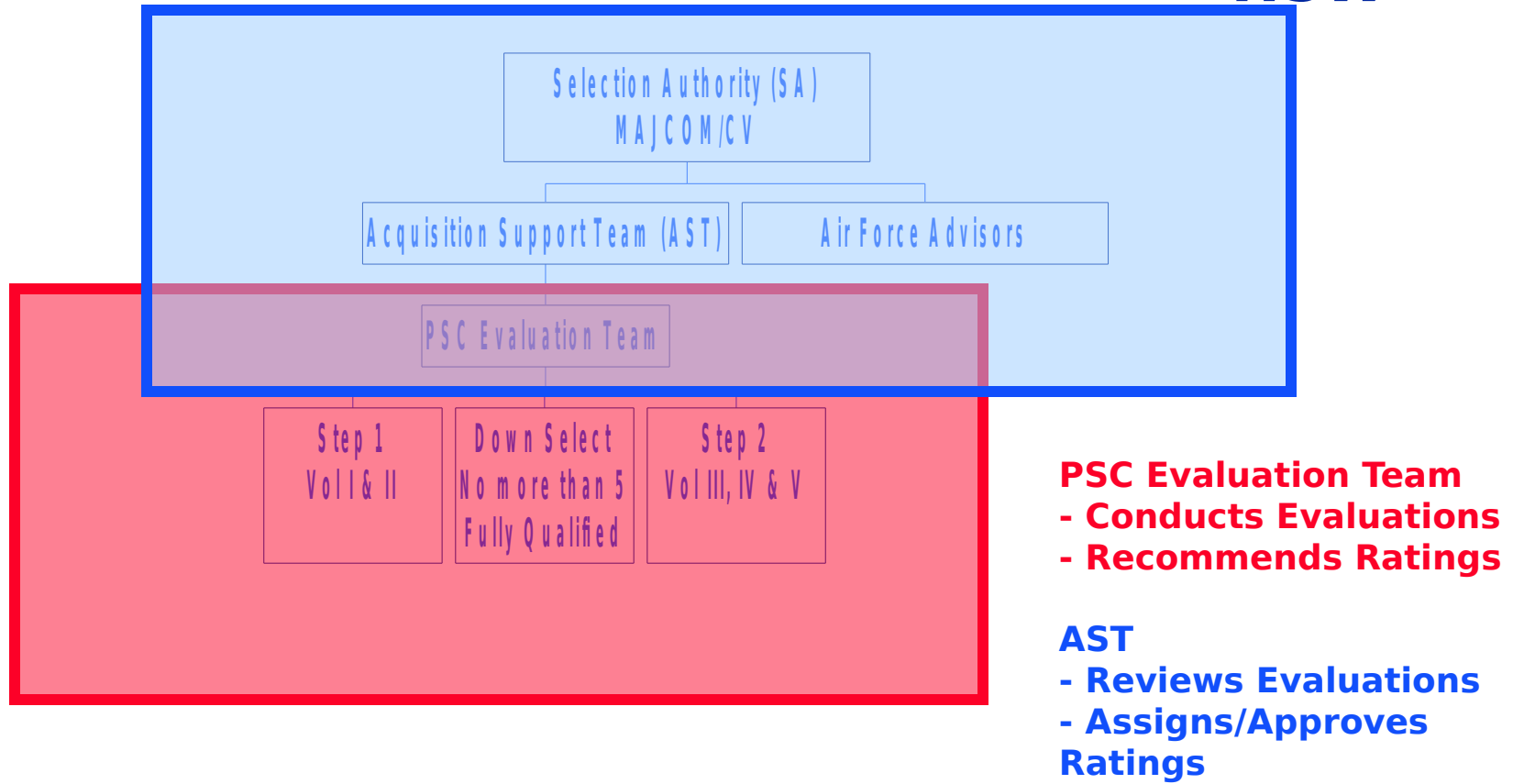
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Selection Organization and Selection Authority (SA) Responsibilities



Selection Organization

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Selection Authority (SA) Responsibilities

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SA Responsibilities: Overall responsibility to direct the selection process

- ✓ ***Approves the Execution Plan (competition plan)***
- ✓ ***Ensures there is no unauthorized disclosure of selection information***
- ✓ ***Determines if award without discussions is appropriate***
- ✓ ***Makes selection decision***



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Selection Information and Procurement Integrity



Selection Information

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- **Selection information must be handled with the utmost discretion to avoid any compromise**
- **AST Co-Chairs control disclosure of selection information during selection and after contract award**



Selection Information

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AST Co-Chairs are responsible for ensuring each person receiving selection information complete and sign a Selection Information Briefing Certificate:

- **Each person agrees to safeguard selection information**
- **A current OGE Form 450 must be submitted, if required by DODD 5500.7**
- **A completed and signed Selection Information Briefing Certificate is required of all attending SA briefings**



Selection Information

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Source Selection Information Briefing Certificate

Name: _____ Grade: _____ Job Title: _____
Organization: _____ Source Selection: _____ Date: _____

Briefing Acknowledgment

1. I acknowledge I have been assigned to the source selection indicated above. I am aware that unauthorized disclosure of source selection or proprietary information could damage the integrity of this procurement and that the transmission or revelation of such information to unauthorized persons could subject me to prosecution under the Procurement Integrity Laws or under other applicable laws.
2. I do solemnly swear or affirm that I will not divulge, publish, or reveal by word, conduct, or any other means, such information or knowledge, except as necessary to do so in the performance of my official duties related to this source selection and in accordance with the laws of the United States, unless specifically authorized in writing in each and every case by a duly authorized representative of the United States Government. I take this obligation freely, without any mental reservation or purpose of evasion and in the absence of duress.
3. I acknowledge that the information I receive will be given only to persons specifically granted access to the source selection information and may not be further divulged without specific prior written approval from an authorized individual.
4. If, at any time during the source selection process, my participation might result in a real, apparent, possible, or potential conflict of interest, I will immediately report the circumstances to the Source Selection Authority.
5. All personnel are requested to check the applicable block:
☐ I have submitted a current OGE Form 450, Executive Branch Personnel Confidential Financial Disclosure Report, as required by DODD 5500.7.
☐ I am not required to submit an OGE Form 450.

SIGNATURE: _____ DATE: _____

Debriefing Certificate

I have been debriefed orally by _____ as to my obligation to protect all information to which I have access during this source selection. I no longer have any material pertinent to this source selection in my possession except material that I have been authorized in writing to retain by the SSA. I will not discuss, communicate, transmit, or release any information orally, in writing, or by any other means to anyone after this date unless specifically authorized to do so by a duly authorized representative of the United States Government.

Signature of Person Debriefed _____ Date _____



Procurement Integrity

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- **Prohibition on disclosing procurement information**
 - Agency official knowingly discloses proposal information
- **Prohibition on obtaining procurement information**
 - A person shall not knowingly obtain contractor proposal information before award
- **Actions required of agency officials when contacted by offerors regarding employment**
 - Promptly report in writing to your AST Co-Chairs and reject the non-federal employment offer; or
 - Disqualify yourself from the procurement



Selection Information

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Information the disclosure of which would jeopardize the integrity or successful completion of the acquisition

Examples:

- **Execution Plan/Competition plan**
- **Evaluation worksheets and attorney's work papers**
- **Rankings of offerors**
- **May be in electronic form, either obtained from the offerors or generated by the government during evaluation**
- **Extends into the post- award period (protest period)**



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Generic Overview of Evaluation Process



Step 1 Evaluation Process

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- **Volume I Qualifications**
- **Volume II Past Performance**
- The qualification evaluation is an examination of the Offeror's past performance; expertise; experience, and financial strength as they relate to the Offeror's ability to develop, finance, construct, operate, and maintain a long-term residential rental development. The Government reserves the right to use the qualifications submittal and evaluation to down-select to no more than five fully qualified Offerors.



Step 2 Evaluation Process

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Vol III Design and Construction

Vol IV Real Estate Management

**Vol V Business Arrangements, Financial
Plan & Structure**



Step 1 & 2 Evaluation Terms

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The Step 1 qualifications evaluation & recommended rating focuses on the strengths, proposal inadequacies & deficiencies of the offeror's proposal:

- **Strength:** A significant, outstanding, or exceptional aspect of an offeror's proposal that has merit and exceeds specified performance or capability requirements in a way beneficial to the Air Force, and either will be included in the contract or is inherent in the offeror's process.
- **Proposal Inadequacy:** An aspect or omission from an offeror's proposal that may contribute to a failure in meeting specified minimum performance or capability requirements.
- **Deficiency:** ***A material failure of a proposal to meet a Government requirement*** or a combination of significant weaknesses in a proposal that increases the risk of unsuccessful contract performance to an unacceptable level.



Step 1 & 2 Color Ratings

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- Each factor within Steps 1& 2 receiving a color ratings, will receive a rating based on the assessed strengths and proposal inadequacies of each Offeror's proposal as evaluated against the minimum threshold identified for that factor.
- In arriving at a best value decision, the Government will consider performance in excess of the minimum threshold requirements.

COLOR RATING DEFINITION

BLUE	EXCEPTIONAL	Exceeds specified minimum performance, or capability requirements in a way beneficial to the Air Force.
GREEN	ACCEPTABLE	Meets specified minimum performance, or capability requirements necessary for acceptable contract performance.
YELLOW	MARGINAL	Does not clearly meet some specified minimum performance, or capability requirements necessary for acceptable contract performance, but any proposal inadequacies are correctable.
RED	UNACCEPTABLE	Fails to meet specified minimum performance, or capability requirements. Proposals with an unacceptable rating are not awardable.



Proposal Risk Evaluation Terms (only step 2 evaluates risk)

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Proposal Risk focuses on the risks associated with an offeror's proposed approach:

- **Weakness**: A flaw in a proposal that increases the risk of unsuccessful contract performance. A “significant weakness” in the proposal is a flaw that appreciably increases the risk of unsuccessful contract performance.
- **Deficiency**: A material failure of a proposal to meet a Government requirement or ***a combination of significant weaknesses in a proposal that increases the risk of unsuccessful contract performance to an unacceptable level.***



Proposal Risk Ratings

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- Each step 2 factor will have its own individual proposal risk rating. There will not be an overall stand alone proposal risk rating.
- Risk will be evaluated using the following ratings:

RATING DEFINITION

HIGH (H) Likely to cause significant disruption of schedule, increased cost, or degradation of performance. Risk may be unacceptable even with special contractor emphasis and close Government monitoring.

MODERATE (M) Can potentially cause some disruption of schedule, increased cost, or degradation of performance. Special contractor emphasis and close Government monitoring will probably be able to overcome difficulties.

LOW (L) Has little potential to cause disruption of schedule, increased cost, or degradation of performance. Normal contractor effort and normal Government monitoring will probably be able to overcome difficulties.

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Exchanges



Exchanges After Proposal Receipt

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- **Clarifications - when awarding without discussion, clarifications are the only exchange conducted after receipt of proposals**
- **Communications - conducted in an attempt to establish competitive range**
- **Discussions - are held after the competitive range determination.**



Exchanges - Clarifications

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Clarifications

- **FAR 15.306(a)(2):** If award will be made without conducting discussions, offerors may be given the opportunity to clarify certain aspects of proposals
 - The relevance of an offeror's past performance information and adverse past performance information to which the offeror has not previously had an opportunity to respond) or
 - Resolution of minor or clerical errors.



Exchanges - Communications

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Communications FAR 15.306(b): Exchanges between the Gov't and offerors, after receipt of proposals, leading to establishment of the competitive range

- Shall be held with offerors whose PPI is the determining factor preventing them from being placed in the competitive range. Such communication shall address adverse PPI to which the offeror has not previously had an opportunity to respond, and
- May be conducted to enhance the Govt's understanding of proposals; allow reasonable interpretation of proposals; or facilitate the Govt's evaluation process for the purpose of establishing the competitive range



Exchanges - Communications

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Communications (cont'd)

- May be held with those offerors whose exclusion from or inclusion in, the competitive range is uncertain
- Does not provide the opportunity for the offeror to revise its proposal, but may address
 - Ambiguities in the proposal or other concerns (perceived deficiencies, weaknesses, errors, omissions, or mistakes); and
 - Information relating to relevant past performance; and
 - Shall address adverse PPI to which the offeror has not previously had an opportunity to comment



Exchanges - Discussions

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Discussions

- **Exchanges are considered Discussions when the Government allows:**
 - **Proposal revisions to occur**
 - **Proposal deficiencies to be corrected**
 - **Material omissions to be corrected**
 - **Technical or cost aspects to be materially altered**
- **Discussions occur with all offerors in the competitive range, to varying degrees**



Summary

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- **PSC contractor is evaluating & recommending**
- **AST is providing “Inherently Governmental” functions within the PSC selection process**
 - approving evaluation level decisions (e.g. assigning ratings)
 - advice to PSC evaluators
 - recommendations to AF decision makers
- **Evaluation must follow the approved Competition Plan/RFP**
- **Procurement Integrity applies to all parties**
- **Questions?**



Contact Information

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